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REMARKS/ARGUMENTS

Claims 2, 4, 6, 8, and 13 are pending in this application. By this Amendment, Applicants AMEND claim 2 and ADD claim 13.

On page 2 of the outstanding Office Action, the Examiner indicated that the prior art references cited in the IDS, filed on February 20, 2004, were not considered because English translations were not provided. Applicants have enclosed yet another IDS and Form 1449 including U.S. Patent No. 5,648,608 which is the English language equivalent of DE 695 10 850; and the English language Abstracts of DE 39 43 805 and DE 196 53 577. Accordingly, Applicants respectfully request that the Examiner consider these references and provide in the next Office Action a signed and initialed Form PTO-1449 which indicates the same.

Claims 2, 4, 6, and 8 were rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. Claim 2 has been amended to correct the informalities noted by the Examiner. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 2, 4, 6, and 8 under 35 U.S.C. § 112, second paragraph.

Claims 2, 4, 6, and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ebara et al. (US 5,922,954). Claims 2, 4, 6, and 8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ebara et al. (US 5,922,954) in view of Smith or Johnson (US 4,788,521). Applicants respectfully traverse the rejections of claims 2, 4, 6, and 8.

Claim 2 has been amended to recite:

"A temperature-drift adjusting method for a vibrating gyroscope which comprises a vibrator having first and second detecting terminals for extracting electric charge that is generated due to a Coriolis force; an oscillation circuit for vibrating said vibrator; first and second variable load impedances connected respectively to the first and second detecting terminals of said vibrator for converting the electric charge extracted by the first and second electrodes into respective voltages; and a signal processing circuit for processing signal outputs from the first and second

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detecting terminals of said vibrator and for outputting a signal corresponding to a rotation angular velocity, said method comprising:
measuring a temperature drift when the first and second variable load impedance are equal;
determining a temperature drift gradient;
independently adjusting the impedance values of the first and second variable load impedances in accordance with a relationship between the temperature drift gradient and the impedance values of the first and second variable load impedances to minimize the temperature drift gradient." (emphasis added)

Applicants' claim 2 recites the step of "independently adjusting the impedance values of the first and second variable load impedances in accordance with a relationship between the temperature drift gradient and the impedance values of the first and second variable load impedances to minimize the temperature drift gradient." With the improved features of claim 2, Applicants have been able to provide a vibrating gyroscope having a simple circuit configuration and a small temperature drift at a low cost (see, for example, the first paragraph on page 5 of the originally filed Specification).

Applicants have amended claim 2 to recite the feature of "independently adjusting the impedance values of the first and second variable load impedances in accordance with a relationship between the temperature drift gradient and the impedance values of the first and second variable load impedances to minimize the temperature drift gradient."

Ebara et al. teaches that the resistors **18a** and **18b** are set to the same value (12, 15, or 18 k Ω), **NOT** that the first and second variable impedance are independently adjusted as recited in Applicants' claim 2. Thus, Applicants respectfully submit that Ebara et al. fails to teach or suggest the feature of "independently adjusting the impedance values of the first and second variable load impedances in accordance with a relationship between the temperature drift gradient and the impedance values of the first and second variable load impedances to minimize the temperature drift gradient" as recited in Applicants' claim 2.

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On page 3 of the outstanding Office Action, the Examiner alleged, "One skilled in the art would recognize that this condition[, matched load impedances,] is ONLY suitable when the piezoelectric elements are matched. However, as this condition is difficult to achieve in the real world, calibration of the balance of the bridge by varying the respective relative values of the resistors in the manner recited in the claims would have been obvious to balance the bridge under less ideal conditions normally encountered, as one of ordinary skill in the art would clearly recognize."

However, there is absolutely no basis in prior art teachings for the Examiner's conclusions regarding obviousness. The Examiner has failed to cite or rely upon any portion of the cited prior art references for the teaching or suggestion of the features which the Examiner admits are missing from Ebara et al.

The Examiner is reminded that prior art rejections must be based on evidence. Graham v. John Deere Co., 383 U.S. 117 (1966). Applicants respectfully submit that the Examiner has improperly relied upon Ebara et al. alone in the obviousness rejection because Ebara et al. fails to teach or suggest the features which the Examiner admits are missing from Applicants' claimed invention.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Ebara et al.

The Examiner has relied upon Smith and Johnson to allegedly cure the above mentioned deficiencies of Ebara et al. First, the Examiner has failed to explain how the bridge arrangements disclosed in Fig. 1 in Johnson and Figs. 21.17-21.20 of Smith that use passive elements are applicable to the circuit arrangements shown in Figs. 1, 5, and 6 of Ebara et al. that do not use a bridge arrangement as shown in Johnson and Smith and that use active elements.

Second, neither Smith nor Johnson even hint at making corrections to a circuit arrangement based upon temperature drift gradient as recited in Applicants' claim 2. Thus, Applicants respectfully submit that neither Smith nor Johnson teach or suggest

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the feature of "Independently adjusting the impedance values of the first and second variable load impedances in accordance with a relationship between the temperature drift gradient and the impedance values of the first and second variable load impedances to minimize the temperature drift gradient" as recited in Applicants' claim 2.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 2 under 35 U.S.C. 103(a) as being unpatentable over Ebara et al. in view of Smith or Johnson.

Accordingly, Applicants respectfully submit that none of the prior art of record, applied alone or in combination, teaches or suggests the unique combination and arrangement of elements recited in claim 2 of the present application. Claims 4, 6, 8, and 13 depend upon claim 1 and are therefore allowable for at least the reasons that claim 2 is allowable.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,


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